

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:12cv353

JOHN BARNES,

Plaintiff,

vs.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

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ORDER

THIS MATTER is before the Court *sua sponte*.

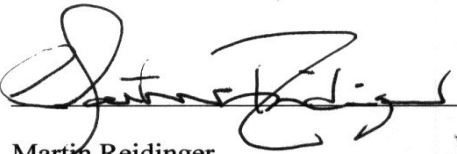
The Plaintiff initiated this action on June 15, 2012. [Doc. 1]. On November 7, 2012, Plaintiff's counsel was notified by the Clerk of Court that he must file a motion for *pro hac vice* admission. To date, he has not moved for admission.

On November 21, 2012, a Scheduling Order was entered in this matter which required that Plaintiff's Motion for Summary Judgment be filed on or before January 22, 2013. [Doc. 16]. No such motion has been filed by the Plaintiff.

The Court will therefore require the Plaintiff to show cause why this action should not be dismissed for failure to prosecute.

IT IS, THEREFORE, ORDERED that on or before fifteen (15) days from entry of this Order, the Plaintiff shall file response as to why this action should not be dismissed for failure to prosecute.

Signed: February 4, 2013


Martin Reidinger
United States District Judge

